

REMARKS/ARGUMENTS

The present application has been reviewed in light of the Office Action mailed on November 10, 2008. Claims 72-145 and 152-161 are currently pending, with Claims 72, 74-78, 81, 83, 87, 89, 106, 119, 120, 122-126, 128, 130, 132, 135, 137, 152, 154-157, and 161 having been amended herein and Claims 72, 89, 106, 119, 137, and 152 being recited in independent form. It is respectfully submitted that the claims now pending in the application are fully supported by the specification, introduce no new matter, and are allowable over the cited references of record.

Applicants thank Examiner Barrera for the courtesy extended to the Applicants' representative, Eric B. Masure, during the telephone interview conducted on February 24, 2009. Examiner Barrera and the Applicants' representative discussed the cited references and proposed amendments to the claims. Accordingly, the Applicants have amended the claims to incorporate Examiner Barrera's helpful suggestions.

Claim Rejections 35 USC § 112

Claims 137-145 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, according to the Examiner, in Claim 137 the "at least one lifter electrically connected with the pair of line terminals" is indefinite because the lifter does not appear electrically connected to the line terminals in either the drawings or the specification. Applicants have amended Claim 137 in a manner which is believed to overcome the rejection. Accordingly, the rejection of Claim 137 and any claims depending directly or indirectly therefrom should be overcome and withdrawn.

Claim Rejections 35 USC § 102

Claims 72-75, 78-92, 95-108, 111-123, 126-138, 140-145, 152-155, and 158-161 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,580,344 to Li (“Li”). Applicants respectfully submit that each of independent Claims 72, 89, 106, 119, 137, and 152 as amended herein, is allowable over Li because Li fails to teach or suggest each and every element of independent Claim 72, 89, 106, 119, 137, and 152.

According to § 2131 of the MPEP, to anticipate a claim, the reference must teach every element of the claim. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

The Examiner interprets the grounding contacts 11, 12 of Li to be analogous to the third electrical conductors of Applicants’ claims. While Applicants do not necessarily agree with the Examiner’s interpretation, in order to expedite prosecution of the present application, Applicants have amended independent Claims 72, 89, 106, 119, 137, and 152 in a manner that further distinguishes Applicants’ claims from the art of record.

More particularly, as amended herein, Claim 72 recites a circuit interrupting device including, *inter-alia*, a first “pair of electrical conductors” that include “a phase and neutral,” a second “pair of electrical conductors” that include “a phase and neutral,” and a third “pair of electrical conductors” that include “a phase and neutral,” wherein the “first, second, and third pairs of electrical conductors are electrically isolated from each other and positioned to electrically connect to at least one user accessible receptacle.” Support for this amendment can at least be found in paragraph [0012] of Applicants’ present disclosure.

Li relates in general terms to receptacles that are suitable for mounting into walls and that include ground fault interruption functions. Li discloses a metal mounting plate 1 is mounted on

the upper housing 2. Through holes on the upper housing 2 and grounding contacts 11 and 12 on the metal mounting plate 1 are connected with their respective lead-out grounding prongs of the power-out socket 5, 6. Li does not disclose that the grounding contacts 11, 12 are configured to function in manner that is different from conventional wisdom. That is, grounding contacts 11, 12 serve as conductors that provide a low impedance path to prevent hazardous voltages from appearing on the upper housing 2. With this purpose in mind, the grounding contacts 11, 12 (as noted above, interpreted by Examiner as analogous to the third conductor of Applicants' claims) neither include a phase nor a neutral. Consequently, Li does not disclose, teach or even suggest a circuit interrupting device including, *inter-alia*, a first "pair of electrical conductors" that include "a phase and neutral," a second "pair of electrical conductors" that include "a phase and neutral," and a third "pair of electrical conductors" that include "a phase and neutral," wherein the "first, second, and third pairs of electrical conductors are electrically isolated from each other and positioned to electrically connect to at least one user accessible receptacle, as required by claim 72.

Accordingly, in view of the foregoing remarks/arguments, Applicants respectfully submit that the rejection of Claim 72 as being anticipated under 35 U.S.C. §102(e) over Li has been overcome.

Since Claims 73-75 and 78-88 depend from Claim 72 and contain all of the limitations of Claim 72, for at least the reasons presented above regarding the patentability of Claim 72, Applicants respectfully submit that each of Claims 73-75 and 78-88 is also patentable over Li.

With regard to independent Claim 89, this claim has been amended in a manner substantially similar to Claim 72. Thus, for at least the same or similar reasons presented above

regarding the patentability of Claim 72, Applicants respectfully submit that Claim 89 is also patentable over Li.

Since Claims 90-92 and 95-105 depend from Claim 89 and contain all of the limitations of Claim 89, for at least the reasons presented above regarding the patentability of Claim 89, Applicants respectfully submit that each of Claims 90-92 and 95-105 is also patentable over Li.

With regard to independent Claim 106, this claim has been amended in a manner substantially similar to Claim 72. Thus, for at least the same or similar reasons presented above regarding the patentability of Claim 72, Applicants respectfully submit that Claim 106 is also patentable over Li.

Since Claims 107-108 and 111-118 depend from Claim 106 and contain all of the limitations of Claim 106, for at least the reasons presented above regarding the patentability of Claim 106, Applicants respectfully submit that each of Claims 107-108 and 111-118 is also patentable over Li.

With regard to independent Claim 119, this claim has been amended in a manner substantially similar to Claim 72. Thus, for at least the same or similar reasons presented above regarding the patentability of Claim 72, Applicants respectfully submit that Claim 119 is also patentable over Li.

Since Claims 120-123 and 126-136 depend from Claim 119 and contain all of the limitations of Claim 119, for at least the reasons presented above regarding the patentability of Claim 119, Applicants respectfully submit that each of Claims 120-123 and 126-136 is also patentable over Li.

With regard to independent Claim 137, this claim has been amended in a manner substantially similar to Claim 72. Thus, for at least the same or similar reasons presented above

regarding the patentability of Claim 72, Applicants respectfully submit that Claim 137 is also patentable over Li.

Since Claims 138 and 140-145 depend from Claim 137 and contain all of the limitations of Claim 137, for at least the reasons presented above regarding the patentability of Claim 137, Applicants respectfully submit that each of Claims 138 and 140-145 is also patentable over Li.

With regard to independent Claim 152, this claim has been amended in a manner substantially similar to Claim 72. Thus, for at least the same or similar reasons presented above regarding the patentability of Claim 72, Applicants respectfully submit that Claim 152 is also patentable over Li.

Since Claims 153-155 and 158-161 depend from Claim 152 and contain all of the limitations of Claim 152, for at least the reasons presented above regarding the patentability of Claim 152, Applicants respectfully submit that each of Claims 153-155 and 158-161 is also patentable over Li.

Claim Rejections 35 USC § 103

Claims 76, 77, 93, 94, 109, 110, 124, 125, 156, and 157 were rejected under 35 U.S.C. §103(a) as being unpatentable over Li in view of United States Patent No. 6,642,823 to Passow (“Passow”). Applicants respectfully submit that when properly combined Li in view of Passow does not render claims 76, 77, 93, 94, 109, 110, 124, 125, 156, and 157 unpatentable for at least the following reasons.

The Examiner relies on Passow for the teaching of a movable bridge including a first finger and a second finger.

Passow relates to a contact block assembly having a return spring positioned outside a pusher. Passow does not cure the failures of Li with respect to independent Claims 72, 89, 106,

119, and 152 in that Passow does not disclose, teach or even suggest a first “pair of electrical conductors” that include “a phase and neutral,” a second “pair of electrical conductors” that include “a phase and neutral,” and a third “pair of electrical conductors” that include “a phase and neutral,” wherein the “first, second, and third pairs of electrical conductors are electrically isolated from each other and positioned to electrically connect to at least one user accessible receptacle,” as required by the aforementioned independent claims.

Since Claims 76, 77, 93, 94, 109, 110, 124, 125, 156, and 157 depend from at least one of Claims 72, 89, 106, 119, and 152 and therefore contain all of the limitations of at least one of Claims 72, 89, 106, 119, and 152, for at least the reasons presented above regarding the patentability of Claims 72, 89, 106, 119, and 152 Applicants respectfully submit that each of Claims 76, 77, 93, 94, 109, 110, 124, 125, 156, and 157 is also patentable.

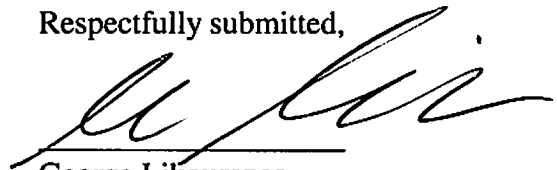
Accordingly, in view of the foregoing remarks/arguments, Applicants respectfully submit that the rejections of Claims 76, 77, 93, 94, 109, 110, 124, 125, 156, and 157 as being unpatentable under 35 U.S.C. §103(a) over Li in view of Passow has been overcome and should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 72-145 and 152-161, are in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the Applicants' undersigned attorney at the Examiner's convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'G. Likourezos', is written over a horizontal line.

George Likourezos
Reg. No. 40,067
Attorney for Applicants

Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Rd., Suite 420
Melville, New York 11747
Tel.: (631) 501-5700 x 5706
Fax: (631) 501-3526